

Report of Director of Children's Services

Report to Executive Board

Date: 19 November 2014

Subject: Outcomes of statutory notices to increase primary school provision in Armley and Bramley & Stanningley



Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Part A: Armley Part B: Bramley and Stanningley		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

This report contains details of proposals brought forward to meet the local authority's duty to ensure sufficiency of school places. The changes that are proposed form prescribed alterations under the Education and Inspections Act 2006. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and accompanying statutory guidance set out the process which must be followed when making such changes. The statutory process to make these changes varies according to the nature of the change and status of the school.

The schools which are the subject of this report are Castleton Primary School and Hollybush Primary school. Both are community schools. At its meeting in July 2014 the Executive Board gave permission for the local authority, as proposer, to publish statutory notices with regard to these schools. The notices were published on 3 September 2014 and expired on 1 October 2014, and provide the opportunity to make representations regarding the proposals. A final decision must be made within 2 months of the expiry of the notice, therefore by 30 November 2014.

Part A - Expansion proposals for Armley – Outcome of statutory notice to expand Castleton Primary School

No representations were received in relation to the notice to expand Castleton Primary School. Part A of this report seeks a final decision from Executive Board on the proposal.

Part B - Expansion proposals for Bramley and Stanningley – Outcome of statutory notice to expand Hollybush Primary School

There was one representation with regard to the notice to change the lower age limit of Hollybush Primary School to 2 years old and increase its capacity.

The proposal also included the expansion of the partnership provision for children with severe learning disabilities by eight places. These pupils would be on the roll of the West SILC, and therefore this was not a prescribed alteration to Hollybush, however it was included in the notice for completeness and transparency. The schools governing body no longer wish to progress this option.

As the representation objected the School Organisation Advisory Board (SOAB) was convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 October, the notes of their meeting are attached at Appendix 1.

Part B of this report details the representations received in response to this notice and seeks a final decision from Executive Board on the proposal.

Recommendations

Executive Board is asked to:

- Approve expansion of Castleton Primary School by increasing its capacity from 210 pupils to 420 pupils, increasing the admission limit in reception from 30 to 60 from September 2016.
- Approve expansion of Hollybush Primary School by changing the lower age limit of from 3 to 2 with effect from January 2015 and by increasing its capacity from 420 pupils to 630 pupils, increasing the admission limit in reception from 60 to 90 from September 2016.
- Note the responsible officer for implementation is the Capacity Planning and Sufficiency Lead

1 Purpose of this report

- 1.1 This report contains details of proposals brought forward to meet the local authority's duty to ensure sufficiency of school places. The report is divided into two parts - Part A describes the outcome of a statutory notice in relation to the expansion of primary provision in Armley for September 2016, and seeks a final decision on the proposal. Part B describes the outcome of a statutory notice in relation to the expansion of primary provision in Bramley and Stanningley for September 2016, and seeks a final decision on the proposal.

2 Background information

Parts A and B

- 2.1 At its meeting in July 2014 the Executive Board considered the outcome of consultation on two proposals:

A To expand Castleton Primary School from a capacity of 210 pupils to 420 pupils, increasing the admission number from 30 to 60 with effect from September 2016.

B To expand Hollybush Primary School by changing the lower age limit of from 3 to 2 with effect from January 2015 and by increasing its capacity from 420 pupils to 630 pupils, increasing the admission limit in reception from 60 to 90 from September 2016, and to expand the partnership provision for children with severe learning disabilities by eight places. These pupils would be on the roll of the West SILC.

- 2.2 Executive Board gave permission to publish statutory notices on these proposals, which were brought forward under Education and Inspections Act 2006 and in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. The notices were published on 3 September 2014 and expired on 1 October 2014. A final decision must be made within 2 months of the expiry of the notice, therefore by 30 November 2014. The Executive Board is the decision maker for these proposals.

3 Main issues

Part A Armley - Expansion proposals for Castleton Primary School;

- 3.3 No objections were received during the statutory notice period.
- 3.4 During the previous consultation phase 8 written responses were received, 7 in favour, 1 against. The concern raised during consultation was addressed in the July report to Executive Board. It focused on the proposed site for the new provision and existing traffic on Green Lane.
- 3.5 It is proposed that the green space opposite the school which currently has some informal use as playspace is used to establish a separate foundation stage including children centre, nursery and reception provision, or other elements of school accommodation. The land required to accommodate the additional buildings for the expanded school, land at the junction of Green Lane / Holdforth Close, Armley has been reserved for school use by the Council's Asset Management Board, who are satisfied that greenspace requirements are met.

- 3.6 Expansion of this school is proposed because of the increase in the birth rate and in particular the high demographic in the immediate area. It is not therefore anticipated that expansion would have significant impact on traffic in the area. Whilst some families do travel to school by car, this is typically under 20 as the majority of families access school on foot or by bus.
- 3.7 The governing body continue to support expansion and to engage in conversations regarding the process of planning the additional accommodation which would be required, should the proposal proceed. No other information has emerged to suggest that the proposal should not proceed.

Part B Bramley and Stanningley - Expansion proposal for Hollybush Primary School

- 3.8 One representation was received, which objected to the proposal. Where objections are received School Organisation Advisory Board (SOAB) is convened to consider the matter and make a recommendation to Executive Board. SOAB met on 15 October, the notes of their meeting are attached at Appendix 1.
- 3.9 In addition to the expansion and 2 year old provision, an extended partnership base for eight children with severe learning disabilities was also proposed. The school already has some partnership provision on site and it was proposed that this was extended. Partnership provision provides an opportunity for children on the roll of a Specialist Inclusive Learning Centre (SILC), in this case the West SILC, to access learning and/or inclusion opportunities alongside their mainstream peers for some or all of the school day. The specialist teaching and learning support is provided by the SILC. As such it does not form a prescribed alteration to Hollybush Primary, however it was included in the statutory notice for completeness and transparency.
- 3.10 During the statutory notice period the governing body re-iterated their support for the expansion of primary provision and the lowering of the age range of the school to enable it to offer FEEE (Free Early Education Entitlement) places for eligible 2 year olds but they concluded after further consideration and discussion with the SILC that they did not support the expansion of the existing specialist provision. This aspect of the proposal is therefore withdrawn.
- 3.11 One objection was received in response to the statutory notice. The issues raised in the objection are outlined in the following paragraph.
- 3.12 **Concern:** That there was insufficient detail provided as to the nature of the physical expansion, making it impossible to predict both the impact of the expansion on the learning experience of the children and on the built environment of the school. The respondent suggested that the proposal for this proposed expansion was withdrawn until detailed plans of the nature of the expansion on site were forwarded.
- 3.13 **Response:** The site is sufficiently large to accommodate the additional classrooms, cloakroom and other facilities required for a three from entry primary school.
- 3.14 Initial discussions have taken place with school leaders regarding the accommodation required by the expanded school. A feasibility study has been

commissioned and is underway. A decision is required on the proposal to enable detailed design work to commence, since it would incur significant costs which would be abortive, and therefore not a good use of public funds if the proposal did not proceed any further. Any buildings will be subject to the normal planning permission process which would allow further comment on the design.

- 3.15 The headteacher and governing body are the key partners in the design process for the new accommodation and will be responsible for the efficient functioning of the new school accommodation. They will continue to be closely involved in discussions regarding design should the project move forward. They are keen to retain the ethos of the school and are confident that they would manage any changes successfully and that the change will not be detrimental.
- 3.16 The statutory notice has a prescribed interval for a final decision of two months. Should a decision not be reached by the local authority the matter would be referred to the Schools Adjudicator for a final decision. This delay may risk the delivery for the proposed start date.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 Consultation was managed in accordance with all relevant legislation and local good practice. The notice was publicised in the Yorkshire Evening Post and copies were placed on all the school entrances. The full proposal was placed on the school and council website.
- 4.1.2 Banners were placed on the school gates/fence to raise awareness of this phase in the statutory process. A survey was set up using Leeds City Council's Talking Point to enable stakeholders to make comments about the proposals. Stakeholders also had the opportunity to make comments in writing, by letter or by email.
- 4.1.3 Ward members were formally consulted during the public consultation stage and were offered the opportunity to comment at statutory notice phase. No concerns were raised.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The EDCI screening forms have been completed and were attached as an Appendix to the original Executive Board report of 16th July 2014. They are therefore not attached to this report.

4.3 Council policies and City Priorities

- 4.3.1 The proposals are being brought forward to meet the Council's statutory duty to ensure there are sufficient school places for all the children in Leeds. Providing places close to where children live allows improved accessibility to local and desirable school places, and thus reduces the risk of non-attendance.
- 4.3.2 A key objective within the Best Council Plan 2013-2017 is to build a child friendly city with a priority, 'Ensure sufficiency of school places'. The delivery of pupil places through Basic Need is one of the most basic entitlements of a Child

Friendly City. A good quality school place contributes to the achievement of targets within the Children and Young People's Plan such as our obsession to 'improve behaviour, attendance and achievement'. Castleton and Hollybush Primary Schools were both rated as 'Good' by Ofsted at their most recent inspections.

- 4.3.3 In addition, "Narrowing the Gap" and the "Going up a League" agenda is fundamental to the Leeds Education Challenge. A key area of monitoring in primary schools is the key stage 1 to 2 value added scores. The scores relevant to the schools contained in this report are:

- Castleton Primary School, value added score: 102.2
- Hollybush Primary School, value added score: 100.2

4.4 Resources and value for money

- 4.4.1 The budgets for these proposals are £3.74m in respect of Castleton Primary School and £3.23m in respect of Hollybush Primary School. The projects are intended to meet the local authority's sufficiency duty and the build costs would therefore be met by the local authority. Should the proposals be approved planning applications and requests for authority to spend would be put in place.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The processes that have been followed are in accordance with the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007, and amended by School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 4.5.2 This report is subject to call in.

4.6 Risk Management

- 4.6.1 The statutory time limit for a final decision on each of the proposals detailed in this report is 1 December 2014. The proposals to increase primary provision in Armley and Bramley & Stanningley have been brought forward in time to allow places to be delivered for 2016. Any significant change to the proposals at this stage would preclude the delivery of places for 2016, and the authority's ability to meet its statutory duty for sufficiency of school places in the short term may also be at risk.
- 4.6.2 A detailed risk register would be established and would be maintained for each project if approved. It is necessary to progress feasibility design work at risk during the statutory notice phase; however the decision to proceed to detailed design stages would not commence until a final decision has been made. Any delay to the statutory process would increase the risk of delayed delivery of the building solution or financial risk of abortive fees being incurred.

5 Conclusions

- 5.1 Our ambition is to be the best city in the country. As a vibrant and successful city we will attract new families to Leeds, and making sure that we have enough good school places for the children is one of our top priorities. These proposals have been brought forward to meet that need and our statutory duty regarding

sufficiency. They would ensure that children in Leeds would have the best possible start to their learning, and so deliver our vision of a child friendly city.

- 5.2 In Armley the proposal to expand Castleton Primary School is a strong one. It would provide additional school places for local children. No objections were raised at the statutory notice stage, the concerns were raised at the consultation stage were addressed in the July report to Executive Board.
- 5.3 The proposal to expand Hollybush Primary School is also a strong one. It would provide additional school places in an area of demographic need. The governing body support expansion of this school. Whilst an objection was received at statutory notice phase, this relates to the lack of detailed design work for the new accommodation. This is normal, and is addressed through a parallel building planning process, and we are confident that the issues can be addressed satisfactorily.
- 5.4 School Organisation Advisory Board (SOAB) met on 15 October to consider the Hollybush proposal, the notes of its meeting are attached as Appendix 1.
- 5.5 It is therefore recommended that the proposals be approved.

6 Recommendations

Executive Board is asked to:

- Approve changes to Castleton Primary School by increasing its capacity from 210 pupils to 420 pupils, increasing in the admission limit in reception from 30 to 60 from September 2016.
- Approve changes to Hollybush Primary School by changing the lower age limit from 3 to 2 from January 2015 and increasing its capacity from 420 pupils to 630 pupils, increasing the admission limit in reception from 60 to 90 from September 2016.
- Note the responsible officer for implementation is the Capacity Planning and Sufficiency Lead.

7 Background documents¹

- 7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.